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PATENT

# E-272-99/2

Attorney Reference Number 4239-62295-01  
Application Number 10/088,269Remarks:

Reconsideration of the application is respectfully requested in view of the foregoing amendments and following remarks. Claims 1-40 and 64-67 are pending in the application. No claims have been allowed. Claims 1 and 64 are independent. Claims 58-63 have been canceled without prejudice to pursuing in a continuation patent application. New claims 64-67 have been added.

Claim 6 has been amended for clarification. No new matter is added thereby.

*Unity of Invention*

The Application has been found to be lacking in Unity of Invention, and election of one of the following groups has been required:

- I. claims 1-40
- II. claims 58-59
- III. claims 60-63

Accordingly, Applicants elect group I (claims 1-40). Claims 58-63 have been canceled.

*Species Election for Group I*

The Application has further been found to be directed to more than one species of the generic invention. Specifically, election of species A (claims 15-40) or species B (generic claims 1-14) has been required. Applicants respectfully disagree with the Action's conclusions regarding the species and subspecies and believe the claims could properly be examined together. For example, it does not appear that it would present an undue burden to search the various dependent claims.

Accordingly, Applicants request that the Examiner reconsider the restriction but elect species B (claims 1-14) with traverse.

Separately, Applicants wish to thank the Examiner for his time in reviewing the restriction over the telephone. Although the merits of the claims and related restriction were not discussed, the Examiner's explanation was helpful in determining how to proceed.

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PATENT

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Applicants have amended the claims by adding new claims 64-67. Claims 65-67 are computer-readable media claims related to claims 1, 6, and 9, respectively. Claim 64 is a system claim mimicking the language of claim 1. As advised by the Action, Applicants indicate group and species for the new claims.

| Claim | Group | Species |
|-------|-------|---------|
| 64    | I     | B (~ 1) |
| 65    | I     | B (~ 1) |
| 66    | I     | B (~6)  |
| 67    | I     | B (~9)  |

*Request for Interview*

If any issues remain, the Examiner is formally requested to contact the undersigned attorney prior to issuance of the next Office Action in order to arrange a telephonic interview. It is believed that a brief discussion of the merits of the present application may expedite prosecution. Applicants submit the foregoing formal Amendment so that the Examiner may fully evaluate Applicants' position, thereby enabling the interview to be more focused.

This request is being submitted under MPEP § 713.01, which indicates that an interview may be arranged in advance by a written request.

*Conclusion*

The claims in their present form should now be allowable. Such action is respectfully requested.

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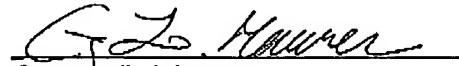
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Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By

  
Gregory L. Maurer  
Registration No. 43,781

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 226-7391  
Facsimile: (503) 228-9446